

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSÉ CRUZ
Petitioner,

:

v.

:

CIVIL ACTION
NO. 14-4510

STEPHEN GLUNT, et al.
Respondents.

:

ORDER

AND NOW, this 28th day of September, 2016, upon careful and independent consideration of Petitioner's Petition for Writ of Habeas Corpus (Doc. No. 1), United States Magistrate Judge Thomas J. Rueter's Report and Recommendation (Doc. No. 18), Petitioner's Objections (Doc. No. 24), the Commonwealth's Response (Doc. No. 29), and Petitioner's Reply (Doc. No. 32), it is hereby ORDERED as follows:

1. In accordance with this Court's accompanying Memorandum, Petitioner's Objections (Doc. No. 24) are OVERRULED;
2. The Report and Recommendation (Doc. No. 18) is APPROVED and ADOPTED;
3. The Petition for Writ of Habeas Corpus (Doc. No. 1) is DENIED;
4. Petitioner's request for an evidentiary hearing is DENIED;
5. Petitioner's request for appointment of counsel is DENIED as moot;
6. A Certificate of Appealability shall NOT ISSUE; and,
7. The Clerk of Court shall mark this matter CLOSED.

BY THE COURT:

/s/ C. Darnell Jones, II J.